

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.534 of 2024

Arising Out of PS. Case No.-161 Year-2023 Thana- PIRPAINTI District- Bhagalpur

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1. SHEIKH IJAJ @ MD. IJAJ SON OF SHEKH JAMALUDDIN @ SHEKH JAMAL RESIDENT OF VILLAGE - ROSHANPUR, P.S. - PIRPAINTI, DISTRICT - BHAGALPUR
 2. MD. FAIYAJ @ MOHAMMAD FAIYAJ SON OF MOHAMMAD JAMAL MUNSHI RESIDENT OF VILLAGE - ROSHANPUR, P.S. - PIRPAINTI, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Sharma
For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 24-01-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Pirpainti P.S. Case No. 161 of 2023, registered for the offences punishable under Sections 147, 149, 341, 323, 448, 308, 379, 504, 506 of the Indian Penal Code.

3. As per allegation, the informant was sitting in his house, all of sudden the accused persons having equipped with *lathi, danda*, started abusing and assaulting him and in consequence thereof, the petitioner no. 1 is said to have assaulted on the head of the informant with iron rod, as a result



of which, he sustained injuries.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case, due to village politics. There is case and counter case between the parties. There is land dispute between the parties.

5. Considering the fact that there is specific allegation against the petitioner no. 1 to assault the informant on his head causing injuries and also considering that he is involved in three other cases, the petitioner no. 1 does not deserve the privileges for anticipatory bail and accordingly, his prayer for bail is **rejected**.

6. So far as petitioner no. 2 is concerned, in the event of his arrest or surrender, within four weeks from today, he is directed to **be released on bail on** furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Pirpainti P.S. Case No. 161 of 2023, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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